

CABINET FOR HEALTH AND FAMILY SERVICES
Department for Community Based Services
Division of Protection and Permanency
(As Amended at ARRS, October 12, 2021)

922 KAR 1:380. Standards for emergency shelter child-caring facilities.

RELATES TO: KRS 2.015, 199.011, 199.640, 199.645-199.670, 214.034~~(5)~~~~(4)~~, 600.020, 610.110, 620.140 ~~[615.010, 615.030, 615.040]~~

STATUTORY AUTHORITY: KRS 194A.050(1), 199.640(5)~~[-199.645, 615.050]~~

NECESSITY, FUNCTION, AND CONFORMITY: KRS 194A.050(1) requires the secretary of the Cabinet for Health and Family Services to promulgate, administer, and enforce administrative regulations necessary to operate programs and fulfill the responsibilities vested in the cabinet. KRS 199.640~~[-](5)~~ requires the Cabinet for Health and Family Services to promulgate administrative regulations relating to standards of care and service for child-caring facilities. This administrative regulation establishes standards of care and service for emergency shelter~~[service]~~ child-caring facilities.

Section 1. Definitions. (1) "Child" is defined by ~~[at]~~ KRS 199.011(4) and~~[-]~~ 600.020~~(9)~~~~(8)~~, and may include:

(a) A person age eighteen (18) or older whose commitment to the cabinet has been extended or reinstated by a court in accordance with KRS 610.110(6) or 620.140(1)(d); or

(b) A person who meets the exceptions to the age of majority in accordance with KRS 2.015 ~~[610.110(6)]~~.

(2) "Crisis intervention unit" means a unit operated to serve a child in need of short-term intensive treatment and to avoid risk of placement to a higher level of care.

(3) "Emergency shelter" means a group home or similar homelike facility that provides temporary or emergency care for children and has adequate staff and services to meet the needs of each resident child.

(4) "Treatment" means individualized management and care of a child utilizing professionally credentialed and certified staff and a component of the treatment environment to assist the child in resolving ~~[his]~~ emotional conflict or a behavioral disorder.

Section 2. Administration and Operation. (1) Licensing procedures. Licensing procedures for an emergency shelter child-caring facility shall be administered as established in 922 KAR 1:305.

(2) An emergency shelter child-caring facility shall meet the requirements of 922 KAR 1:300, except for the following:

- (a) Section 5(1)(d)2;
- (b) Section 5(1)(i)1, 3, and 4;
- (c) Section 5(1)(k);
- (d) Section 5(1)(n);
- (e) Section 5(1)(o);
- (f) Section 7(1)(e);
- (g) Section 7(2)(a);
- (h) Section 7(2)(b)3 and 4;
- (i) Section 7(2)(c);
- (j) Section 7(3);
- (k) Section 7(4)(a);

- (l) Section 7(5); and
- (m) Section 7(6)(c), (d), (e), and (g).

Section 3. Emergency Shelter Child-caring Facility Services. (1) An emergency shelter child-caring facility that is part of a program offering a treatment service shall maintain ~~[be in]~~ compliance with 922 KAR 1:390, Section 4.

(2) If an emergency shelter care program is part of a larger organization providing other child-caring or child-placing services in accordance with 922 KAR 1:310, there shall be a person designated to serve as coordinator of the emergency shelter child-caring facility.

(3) **(a) Except as provided by paragraph (b) of this subsection,** the facility shall obtain the following information from a child's custodian during intake:

1.[(a)] Commitment order, temporary custody order, or signed voluntary admission form; **and**

2.[(b)] Basic identifying information on the child including:

a.[1.] Name and birthdate;

b.[2.] Address, and name and address of parent or guardian;

c.[3.] Last school attended and grade level; and

d.[4.] Medical information, if known. **;**

(b)[(e)] If a child is a walk-in to the program and no custodian is available, a facility shall obtain a placement agreement with the custodian within seventy-two (72) hours.

(4) Discharge.

(a) The facility shall have written policy and procedure describing conditions under which a child may be discharged.

(b) Discharge planning shall begin immediately upon admission of a child.

(c) The facility shall prepare a written discharge summary within five (5) days following the date of discharge. A copy shall be provided to the legal custodian.

Section 4. Crisis Intervention Unit. An emergency service in a crisis intervention unit shall be provided as established in 922 KAR 1:390, Section 5.

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